

PROBATION OFFICERS

Did you know?

In the 94 federal judicial districts nationwide, U.S. probation officers play an integral role in the administration of justice.

U.S. probation officers constitute the community corrections arm of the federal court system.

U.S. probation officers provide to the court two important services: *investigation and supervision.*

U.S. probation officers make an important contribution to the federal criminal justice process. Simply stated, their mission is to investigate and supervise offenders whom the courts have conditionally released to the community on probation, parole, or supervised release. By serving as the court's fact-finder, controlling the risk offenders may pose to public safety, and providing offenders with correctional treatment, officers help ensure that persons previously convicted of crime choose a law-abiding lifestyle rather than further criminal behavior. Their responsibilities require them to work not only with federal judges and other court professionals, but with U.S. attorneys, defense attorneys, Federal Bureau of Prisons and U.S. Parole Commission officials, state and local law enforcement agents, treatment providers, and community leaders. Officers deliver services that benefit the court, the community, and the offender. Their primary duties are briefly described below.

1. The officer conducts a presentence investigation, gathering and verifying important information about the offender and the offense.

By order of the court, the officer makes a thorough investigation—a presentence investigation—into the circumstances of the offense and the offender's criminal background and characteristics. The officer gathers information in two ways: by conducting interviews and by reviewing documents. The cornerstone of the investigation is the interview with the offender, during which the officer inquires about such things as the offender's family, education, employment, finances, physical and mental health, and alcohol or drug abuse. The officer also conducts a home visit to assess the offender's living conditions, family relationships, and community ties and to detect alcohol or drugs in the home.

Besides interviewing the offender, the officer interviews other persons who can provide pertinent information about the offender and the offense, including the defense counsel, the prosecutor, law enforcement agents, victims, the

offender's family and associates, employers, school officials, doctors, and counselors. The officer also reviews various records and reports, including court records, financial records, criminal history transcripts, probation/parole/pretrial services records, birth/marriage/divorce records, school records, employment records, military service records, school records, medical records, and counseling and treatment records. The officer verifies the information gathered, interprets and evaluates it, and presents it to the court in an organized, objective report called the presentence report.

2. The officer prepares a presentence report that helps the court determine the appropriate sentence.

The presentence report contains information about the offense, the offender, the impact of the offense on the victim, and sentencing options under the federal sentencing guidelines. It also includes information about the offender's ability to pay fines and restitution. The primary purpose of the report is to provide information that enables the court to impose a fair sentence that satisfies the punishment, deterrence, and corrective goals of sentencing. The officer considers applicable statutes and the federal sentencing guidelines, applies them to the facts of the case, and comes up with a recommended sentence and a justification for it.

Because the presentence report is so crucial to the sentencing process, it must be accurate and distinguish between information that is verified and unverified and between fact and opinion. The presentence report not only helps the court choose an appropriate sentence, but provides important information to help with the following:

' Federal Bureau of Prisons - Choosing the institution where the offender will serve the sentence. Selecting prison programs that will help the offender. Making the offender's release plans.

' U.S. Sentencing Commission - Providing information useful for monitoring sentencing guidelines application. Providing information useful for research.

' U.S. Probation Officer Supervising the Offender - Assessing the risk the offender poses. Assessing the offender's needs.

3. The officer recommends the conditions under which offenders are released to the community.

The officer proposes conditions of release in the presentence report. These conditions help structure the offender's movement and behavior in the community. They address many areas of the offender's life, including personal,

financial, and health issues. The court imposes two kinds of conditions: standard and special. Standard conditions apply to all offenders. For example, they forbid the offender to commit another federal, state, or local crime; require the offender to report as directed to the probation officer; and prohibit the offender's use of alcohol or drugs. Special conditions give the officer the authority to administer additional sanctions and provide correctional treatment and address specific risks the offender may present to himself or herself, others, and the community in general. For example, special conditions may require the offender to serve a period of home confinement, undergo drug testing or treatment, or disclose financial information.

When supervision begins, the officer assigned to supervise the offender fully explains the conditions of release and the consequences of not complying with them. The offender receives a written statement that sets forth the conditions.

4. The officer supervises offenders in the community to make sure they comply with court-ordered conditions of release.

Officers supervise, or monitor, all offenders conditionally released to the community by the federal courts, the U.S. Parole Commission, and military authorities. Community supervision gives officers the means to carry out the court's sentence and to accomplish offender rehabilitation and public safety goals.

Officers hold weighty public safety responsibilities. In supervising offenders, officers use risk control techniques designed to detect and deter criminal behavior. Such techniques include verifying employment, verifying income sources, monitoring offenders' associates, requiring offenders to undergo drug testing, and restricting offenders' travel. Also, if necessary, officers ask the court to modify the supervision conditions to provide for home confinement, financial disclosure, or other conditions to reduce risk. Supervision begins with assessing the offender, identifying potential supervision problems, and making a supervision plan. Assessment is a determination as to the potential risk the offender poses and affects the amount of personal contact the officer has with the offender. The supervision plan identifies the offender's problems and how to resolve them. Problems are those circumstances that limit the offender's ability or desire to comply with supervision and that directly affect the offender's ability to complete supervision successfully. Examples of such problems—and supervision plans to address them—are shown in the chart on this page.

Officers periodically evaluate offenders' responses to supervision and revise supervision plans as necessary. Officers keep informed of the conduct and condition of offenders throughout supervision; help them improve, consistent with the court's order; and keep records of supervision activities. Offenders who do not comply with supervision conditions face sanctions ranging from reprimand to revocation proceedings. The most serious violations include violations for new criminal conduct, violations that compromise public safety, and absconding from supervision.

| Supervision problem | Supervision plan |
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| The offender is unemployed and on welfare. She has moved four times in the past year. Her two children are having problems at school. | Refer the offender to a community agency that will teach her a marketable skill. Make two personal contacts per quarter to require her participation in the job program. |
| The offender has several convictions for drunk driving and assault and battery where the complainant was his wife. | Make twice monthly personal contacts with the offender and his wife to see if the offender is drinking and how he interacts with his family. Check with his employer to see if alcohol abuse is affecting his attendance or performance. Refer him for an evaluation to determine alcohol abuse. |
| Offender is a known gang member with a history of drug trafficking. | See the offender twice a month at his home or his job to monitor his activities. Check regularly with the police department's intelligence division to see if the offender is associating with known criminals. Thoroughly investigate any requests by the offender to travel outside the district. |

5. The officer controls the risk offenders may pose to themselves and others by providing correctional treatment to help offenders become productive members of the community.

Officers provide correctional treatment that helps offenders live law-abiding lives. These are activities designed to rehabilitate offenders by changing behavior that contributes to criminality and to reintegrate offenders into the community. Correctional treatment encompasses many services, including drug or alcohol treatment, mental health treatment, educational or vocational training, medical care, and employment assistance. The officer's job is to locate and use community resources to address offender needs in these areas or to arrange for services.

6. The officer uses special skills, works with particular caseloads, and takes on specialized responsibilities to further investigation, supervision, and officer safety goals.

Some officers hold specialist positions or perform special duties that require certain skills or expertise. Experience, on-the-job training, and training received from outside sources prepare officers for such positions. For example, drug and alcohol treatment specialists closely supervise drug- or alcohol-dependent offenders, require them to undergo drug testing and treatment, and arrange for appropriate treatment such as detoxification or counseling. Mental health treatment, home confinement, community service, sentencing guidelines, financial investigation, employment, and firearms are some other specialty areas.